

# CHARTER

## MIAMI-DADE COUNTY ASSOCIATION OF CHIEFS OF POLICE, INC.

KNOW ALL MEN BY THESE PRESENTS:

That we, the undersigned,

W.J. McCarthy

J. T. Griffin

R. G. Gwynn

D.D. Rosenfelder

E. D. Carpenter

Alfred I. Barton

F.E. Nelson

E.F. P. Bringham

C. Simmons

John Porth

L.F. Jahn

W.B. Jones

L. O. Scarboro

D. G. Reynolds

Frank Mitchell

F.W. Hackett

James O. Barker

D. E. Sox

Fred W. Manning

R. L. Shivers

desiring to incorporate as an Association without capital stock and without profit, pursuant to and in accordance with the provisions of the laws of the State of Florida, to wit: Chapter 3, Section 6495, Compiled General Laws of Florida for the year 1927, and all subsequent amendments thereto, providing for the incorporation of benevolent and charitable associations, do hereby associate and incorporate ourselves, and make, subscribe, certify and acknowledge this Certificate for that purpose, as follows to wit:

### ARTICLE I

#### NAME AND LOCATION

The name of this Association shall "Miami-Dade County Association of Chief of Police, Inc." and said Association shall be located in Miami-Dade County, Florida.

### ARTICLE II

#### GENERAL NATURE AND OBJECT OF THE ASSOCIATION

The primary purpose of this Association is to promote a thorough and efficient police system throughout Miami-Dade County by the coordination of all law enforcement agencies of the various municipal, county, state and federal governments and to obtain for the public a maximum law enforcement service with the facilities at hand so that they may function properly, such service to redound to the benefit of each city, town or village located in Miami-Dade County, Florida, and the people of the United States. Other incident purposes of the Association are as follows:

1. To obtain for the people a maximum law enforcement service to advance the sciences pertaining to the prevention of crime and the apprehension of criminals;
2. To promote the administration and professionalization of law enforcement service;
3. To uphold the honor of the profession of law enforcement

4. To elevate the standards of police institutions and officers;
5. To devise, cultivate and disseminate systems for the prevention of crime, arrest and detention of criminals;
6. To advocate reforms of the laws of the State of Florida and ordinances of the various municipalities located in Miami-Dade County in association and collaboration with the Legislature of the State of Florida and the cities of Miami-Dade County, for the public safety, protection and general welfare;
7. To assist in facilitating the administration of criminal justice, and aid in the suppression of crime;
8. To encourage and cultivate integrity and courtesy among all the members of the law enforcement agencies;
9. To cement the links which unite us and officials of the various governmental entities in Miami-Dade County, Florida;
10. To engage in any and all lawful activities incidental to the foregoing purposes, except as restricted herein.

### **ARTICLE III**

#### **ASSOCIATION TO BE NON-POLITICAL**

This Association shall, and the same is hereby declared to be a non-political organization, provided, however, that this provision shall not be construed to prevent a united and concerted effort on the part of this Association to further the purpose and objects of this organization, set forth above.

### **ARTICLE IV**

#### **THE QUALIFICATIONS OF MEMBERS AND THE MANNER OF THEIR ADMISSION**

Membership in the corporation shall be open to all persons without regard to race, creed or national origin who are in a duly appointed or elected executive active head of a legally constituted law enforcement agency within Miami-Dade County, Florida regardless of his title, and the head of any Division within a legally constituted Police Department, regardless of his title, shall be eligible for membership to this Association, only when recommended by the legally constituted head of said law enforcement agency, and provided further, that the Legal Advisor selected by this Association shall, while acting as such Legal Advisor for this Association, be a member and provided further that such other persons may be members of this Association as may be provided by the By-laws, but in no case shall a person be admitted as a member of this Association until he has received the sanction of the membership committee and the approval of this Association, as provided for in the By-Laws.

### **ARTICLE V**

#### **THE NAMES AND ADDRESSES OF SUBSCRIBERS**

The names and addresses of the subscribers of this Association are as follows:

W.J. McCarthy .....	Miami, Florida
H. J. Leslie Quigg .....	Miami, Florida
Frank Mitchell .....	Miami, Florida
J.T. Griffin .....	Miami, Florida
C. Simmons .....	Miami Shores, Florida
F. W. Hackett .....	Surfside, Florida
R. C. Gwynn .....	North Miami, Florida
John Porth .....	Hialeah, Florida
James O. Barker .....	Miami, Florida
D.D. Rosenfelder .....	Opalocka, Florida
L.F. Jahn .....	Miami, Florida
W.D. Kniffen .....	Miami Springs, Florida
E. D. Carpenter .....	Miami, Florida
W.B. Jones .....	North Miami Beach, Florida
D. E. Sox .....	Coral Gables, Florida
Alfred I. Barton .....	Surfside, Florida
L.O. Scarboro .....	Miami, Florida
Fred W. Manning .....	Miami, Florida
R. E. Nelson .....	Miami, Florida
R. L. Shivers .....	Miami, Florida
E.F.O. Brigham .....	Miami, Florida

**ARTICLE VI**  
**THE TERM FOR WHICH IS TO EXIST**

This Association shall have perpetual existence

**ARTICLE VII**  
**THE GOVERNEMENT OF THE AFFAIRS OF THIS ASSOCIATION**

The government of the affairs of this Association shall be invested in its legally constituted elected officers which will consist of: a President, Vice President, Secretary and Treasurer. The Vice President, Secretary and Treasurer should automatically move-up to the next position in the Association without the necessity of nomination or election at the end of the term of the President. The only nomination for elected office shall be for Treasurer and those nominations shall be made at the regular meeting in the month of March by the nominating committee.

The president of the Association cannot succeed himself; said officers shall be elected as indicated in the By-Laws and shall hold office for one year. The duties of the elected officers shall be set forth in the By-Laws of this Association.

**ARTICLE VII**  
**THE NAMES OF THE OFFICERS WHO ARE TO MANAGE ALL THE AFFAIRS UNTIL THE FIRST ANNUAL ELECTION OR APPOINTMENT UNDER THE CHARTER**

Until the first annual election, herein provided for, is held, the affairs of this Association shall be managed by the following officers, namely;

Alfred I. Barton, President; R.L. Shivers, Vice President; E.D. Carpenter, Secretary; W.J. McCarthy, Treasurer, and J.T. Griffin, Executive Secretary, and the above named persons shall exercise all the duties, functions, powers and privileges pertaining to their said respective offices, duly and regularly provided for by the By-Laws of the Association to be exercised by the President, Vice-President, Secretary, Treasurer and Executive Secretary.

## **ARTICLE IX**

### **BY WHOM THE BY-LAWS ARE TO BE ALTERED OR RESCINDED**

The By-Laws of this Association may be altered or rescinded by affirmative vote of a majority of the active membership after the amendment has been submitted to and approved by the By-Laws Committee and a copy mailed electronically sent or given to every member of the Association notifying him that the change will be voted upon at the next regular meeting, and will become effective if acted upon by a majority of the active members present at said meeting. This notice shall contain the place, date and time of meeting, as well as the article to be amended and the reasons therefore.

## **ARTICLE X**

### **AMOUNT OF INDEBTEDNESS**

The greatest amount of indebtedness or liability the Association shall incur at any time shall not exceed the amount in the treasury.

## **ARTICLE XI**

### **THE AMOUNT AND VALUE OF PROPERTY WHICH THIS ASSOCIATION MAY HOLD**

This Association may hold such real estate and personal property as the majority of the members of this Association may determine, in a meeting called for that purpose, or at any regular meeting.

## **ARTICLE XII**

### **AMENDMENT OF CHARTER**

The Charter of this Association shall be altered, amended, or rescinded at any time in accordance with the laws of the State of Florida, in the manner altering, amending or rescinding. By-Laws as outlined by Article IX of this Chapter.

## **ARTICLE XIII**

This Association is not organized for profit. It has no capital stock. All funds paid this Association for special purposes are trust funds. Expenses of this Association and other obligations incurred whatsoever character are to be paid out membership fees paid by the

members and from donations, bequests, endowments, or other benefits received by the Association from whatever source.

The objects and purposes of this Certificate of Incorporation shall not be taken as restrictive, one upon the other, but as independent purposes, and shall include all the objects and purposes of like Associations permitted and designated by, under and through the laws of the laws of the State of Florida relating to endowment Associations which may be now in force and which may hereinafter be in force.

IN WITNESS WHEREOF, we, the above-named subscribers, have hereunto affixed our hands and seals this 10<sup>th</sup> day of November, A.D., 1937.

W.J. McCarthy	(SEAL)	James O. Barker	(SEAL)
H. Leslie Quigg	(SEAL)	D.D. Rosenfelder	(SEAL)
Frank Mitchell	(SEAL)	L.F. Jahn	(SEAL)
J.T. Griffin	(SEAL)	W.D. Kniffen	(SEAL)
C. Simmons	(SEAL)	E.D. Carpenter	(SEAL)
F.W. Hackett	(SEAL)	W.B. Jones	(SEAL)
R.C. Gwynn	(SEAL)	D.E. Sox	(SEAL)
John Porth	(SEAL)	Alfred I. Barton	(SEAL)
L.O. Scarboro	(SEAL)	D.G. Reynolds	(SEAL)
Fred W. Manning	(SEAL)	R.L. Shivers	(SEAL)
F.E. Nelson	(SEAL)	E.F. P. Brigham	(SEAL)

STATE OF FLORIDA:  
COUNTY OF MIAMI-DADE:

Personally appeared before me, the undersigned authority, H. LESLIE QUIGG, who being by me first duly sworn, deposes and says: the he does hereby acknowledge that he is one of the subscribers who placed his hand and seal to the foregoing Certificate of Incorporation: that he signed and sealed the same for good faith to carry out the purposes and objects set forth therein, and Affiant prays the Circuit Court of the Eleventh Judicial Circuit of Florida will approve the charter in due form and effect, as provided for under the laws of the State of Florida.

/s/ H. Leslie Quigg

Sworn to and subscribed before me  
This 10<sup>th</sup> day of November, A.D., 1937

/s/ Kathleen Penney

Notary Public, State of Florida at Large  
My Commission Expires: Sept 24, 1941  
(NOTARY SEAL)

## **ARTICLE XIV**

### **DISSOLUTION OF CORPORATION**

Upon the dissolution of the corporation, the officers after making provisions for the payment of all liabilities of the corporation, shall arrange for the distribution of all the assets of the corporation exclusively for the tax-exempt purposes of the corporation, contributions to which

are deductible Under Section 107(c) of the Internal Revenue Code of 1954 as the officers may require.

**PAST PRESIDENTS**

1937-38	ALFRED I. BARTON	1981-82	JOHN FLETCHER
1938-39	ANDREW J. KAVANAUGH	1982-83	KENNETH I. HARMS
1939-40	LESLIE QUIGG	1983-84	KEN BUSH
1940-41	D.C. COLEMAN	1984-85	BOBBY L. JONES

1941-42	D.D. ROSENFELDER	1985-86	THOMAS H. FLOM
1942-43	EARL CARPENTER	1986	HANK SELSKY
1943-44	ALBERT L. RAITHEL	1986-87	KENNETH GLASSMAN
1944-45	H.W. SIMPSON	1987-88	FRED TAYLOR
1945-46	S.A. SENNEFF	1988	*TERREL SHEFFIELD
1946-47	FRANK HACKETT	1989	DALE P. BOWLIN
1947-48	EDWARD JETCHEN	1989-90	ROLANDO BOLANOS
1948-49	WILLIAM JOHNSON	1990	JOSEPH ZERBA
1949-50	WILLIAM G. KIMBROUGH	1991	CHARLES SKALASKI
1950-51	WALTER HEADLEY, JR.	1991-92	LAURENCE JURIGA
1951-52	CHARLES W. PIERCE	1992-93	PERRY TURNER
1952-53	JAMES T. GRIFFIN	1993-94	CURTIS IVY, JR.
1953-54	H. GWYNN HOWARD	1994-95	PATRICK KIEL
1954-55	WILLIAM NORTON	1995-96	TERRILL WILLIAMSON
1955-56	J.H. WEBBER	1996-97	KENNETH EACH
1956-57	R.J. SHEPARD	1997	JAMES BUTLER
1957-58	W.M. OAKFORD	1997-98	DON WARSHAW
1958-59	J.W. YOUELL	1998-99	RICHARD BARRETO
1959-60	BEN DEMBY	1999-00	CARLOS ALVAREZ
1060-61	DET. EDWARDS	2000-01	LEONARD MATARESE
1961-62	JESSE WEBB	2001-02	TOM HOOD
1962-63	A.W. ANDERSON	2002-03	TOM RIBEL
1963-64	G.W. OWENS	2003-04	DICK MASTEN
1964-65	L.C. LEEPER	2004	PETE CUCCARO
1965-66	WAYNE H. THURMAN	2004	JOHN ROSS
1966-67	HERBERT L. CHASTAIN	2005-2006	LINDA LOIZZO
1967-68	W.L. NESTOR	2006-2007	ROBERT PARKER
1968-69	ROCKY POMERANCE	2007-2008	TOM HUNKER
1969-70	DAVID MAYNARD	2008-2009	STEVE STEINBERG
1970-71	DLANY DUPUY	2009-2010	NAIM ERCHED
1971-72	JAMES DEVANEY		
1972-73	ADAM KLIMKOWSKI		
1973-74	BERNARD L. GARMIRE		
1974-75	LARRY COTZIN		
1975-76	E. WILSON PURDY		
1976-77	ROBERT STAHL		
1977-78	LAWRENCE LEGGETT		
1978-79	EUGENE B. GUNN		
1979-80	EARL C. STEFFEN		
1980-81	BUFORD C. WHITAKER		

## **BY---LAWS**

## **OF**

## **MIAMI-DADE COUNTY ASSOCIATION OF CHIEFS OF POLICE, INC.**

## ARTICLE I – MEETINGS

Section 1. **REGULAR MEETINGS.** Regular meetings will be considered as the dinner meeting held monthly at the time and place designated by the President.

Section 2. **EXECUTIVE MEETINGS.** Executive meetings will be held monthly at the time and place designated by the President. Executive meetings are attended by the elected officers of the association, committee members and others necessary as determined by the President

The executive committee shall conduct the business of the organization at the monthly executive meeting and shall determine all issues relevant to the Association by a majority vote of the members in attendance, except hereinafter provided.

Section 3. **SPECIAL OR CALLED MEETINGS.** Special meetings of this Association may be called at any time by the President, or, upon written request for not less than one third (1/3) of the active members in good standing. Such written request shall be directed to the President. Notice of not less than ten (10) days shall be required for holding such meetings, stating the time, place and nature of the business to be transacted. There shall be no business transacted at said special meetings other than that provided for in the notice thereof.

## ARTICLE II – ELECTIONS OF OFFICERS

Section 1. **NOMINATION OF OFFICERS.** The government of the affairs of this Association shall be invested in its legally constituted elected officers who will consist of: a President, Vice President, Secretary, and Treasurer. The Vice President, Secretary and Treasurer should automatically move-up to the next position in the Association without the necessity of nomination or election at the end of the term of the President. The only nomination for elected office shall be for Treasurer whose nomination shall be made at the regular meeting in the month of March by the nominating committee.

Any active member in good standing shall have the right to submit to the head of the Nominating Committee, in writing, by February 15<sup>th</sup>, the name of any active member in good standing for the position of Treasurer. However, a nomination will not be accepted by the nominating committee if the election of that person would serve to place on a board more than one member from any agency.

The Nominating Committee shall report to the full Membership at the March regular meeting the status of each individual submitted to it for consideration for nomination. The Committee shall advise the membership as to whether or not each individual submitted has been nominated by the Committee to stand for election as treasurer. In determining the qualifications of an individual to stand for election, the Nominating Committee shall consider the individual's qualifications to serve as an officer of the Association, with the understanding that the individual elected as Treasurer will ultimately serve as President of the Association. Such qualifications to be considered shall include, but not be limited to, the individual's contribution to and participation in the Association's activities, the length of membership in the Association, the time served in his or her current position, his or her reputation in the community and within the law

enforcement profession and any such other relevant criteria developed by the Nominating Committee. The Nominating Committee shall conduct such interviews and review such records as it feels necessary to reach a fair and impartial recommendation.

Each officer of this Association shall have all the qualifications necessary to duly and regularly constitute them an active member. In addition to those officers elected, provided for above, the President shall have the power to appoint an Executive Secretary, Sergeant at Arms, Chaplain, Legal Advisor and Badge Officer.

Section 2. **ELECTION OF OFFICERS.** The Election of the Treasurer of this Association shall be held at the regular monthly meeting in April, with installation to occur in May. Each active member in good standing shall be entitled to one vote. The manner of expressing the vote shall be by written secret ballot. The Nominating Committee shall oversee the election. The candidate for office of Treasurer receiving the highest number of votes cast shall be declared elected. All active members entitled to vote must vote in person and there shall be no absentee voting.

In the event that only one person is nominated for Treasurer, a majority vote of the Executive Committee shall be sufficient to declare that person elected.  
"Added to avoid unnecessary elections."

Section 3. **FILING VACANCIES.** If a vacancy should occur in any elected office, caused by any reason, in which the term of the elective office is six (6) months or more, then each elected officer shall automatically move-up to the next office. The vacancy for Treasurer shall then go through the electoral process with nominations being made thirty (30) days prior to the first regular meeting with an election to be held at the next regular meeting. If the term is less than six (6) months, then each of the officers shall move-up in the chairs, but only as acting officers, with an election to be held for the Treasurer. They then shall serve their full term, the following year.

Section 4. **REMOVAL OF OFFICERS.** An officer of this Association may be removed from office for misfeasance, moral turpitude or the commission of a criminal act.

**Method of Removal:** A two-thirds (2/3) vote of the Executive Committee at a regular scheduled executive meeting shall be required recommending removal prior to a submission to the general membership. If a vote recommending removal occurs, then the elected officer shall be given a thirty (30) day notice that a petition for his or her removal will be submitted to the general membership at the next regularly scheduled meeting.

At the next regularly scheduled meeting a vote shall take place. It will require the majority vote of the attending active members for removal.

### **ARTICLE III – DUTIES OF OFFICERS**

Section 1. **DUTIES OF PRESIDENT.** The chief officer of this Association shall be the President, and he or she shall execute any and all documents necessary to be executed by this Association in the name of this Association, as its Chief Executive Officer. He or she is charged with the duty to open the sessions of this Association at the time it meets, by taking the chair and calling the membership to order; to announce the business before the Association in

the order in which it is to be acted upon; to recognize members entitled to the floor; to start and to put to vote all questions which are regularly moved or necessarily arise in the course of the proceedings, and to announce the result of the vote; to protect the assembly from frivolous or dilatory motions by refusing to recognize them; to assist in the expediting of business in every way compatible with the rights of the members, as by allowing brief remarks when undebatable motions are pending, if he or she think it advisable; to restrain the members then engage in debate, within the rules of order; to enforce on all occasions the observance of order and decorum among the members, deciding all questions for the decision of the assembly; to inform the assembly, when necessary when referred to for the purpose on a point of order or practice pertinent to pending business; to authenticate, by his or her signature, when necessary, all the acts, orders and proceedings of the assembly declaring its will; to vote in all cases when his or her vote will change the result, as in cases where the votes of other members are equally divided and in balloting at regular elections; and to be a member exofficio of all committees. The President shall serve as the Chairperson of the Executive Committee.

Section 2. **DUTIES OF VICE-PRESIDENT.** The Vice-President shall aid and assist the President in conducting the meetings, and in the absence of the President, he or she shall preside, and while so presiding shall have the full power of the President. Should the office of the President become vacant during the elective term, the Vice-President shall assume the office of the President during the unexpired term with all the powers of said office.

Section 3. **DUTIES OF SECRETARY.** The duties of the Secretary of this Association shall include the duties ordinarily performed by the recording secretary. He or she shall have full charge of the minute book and general roll book; previous meetings; read all communications, reports, petitions, bills, etc., notify officers and committees of their appointment and to furnish them with all the papers referred to them, to sign with the President all orders on the Treasury authorized by this Association; have custody of the seal of this Association.

The Secretary and his or her designee will be the custodian of records, charged with the responsibility of maintaining any and all records for the purpose of disclosure, in the event any lawful request is made, pursuant to the public records laws of the State of Florida.

It shall be the duty of the Secretary of this Association to provide a copy of the Charter and all By-Laws of this Association and to furnish each member of the Association with a copy thereof.

Section 4. **DUTIES OF TREASURER.** It shall be the duty of the Treasurer, and his or her designee, to collect the monies due to this Association, giving receipts therefore, and to keep suitable books of records of same; to deposit all monies of this Association in a bank designated by the President; to render statements in detail at each meeting of this Association, showing receipts and disbursements in full to date, and the monies in the treasury; to draw all checks or other obligations authorized by this Association. The Treasurer, and his or her designee, shall keep an accurate record of the standing of the members, giving notice to those who may become delinquent in the payment of their dues and assessments. The Treasurer's book of records of accounts, as well as all papers in his or her custody, shall be open for examination to any active member of this Association or in accordance with State Statute.

He or she shall not lend or invest any of the funds of this Association without express approval of two-thirds (2/3) of the Executive Committee. The fiscal year of this Association shall begin in January of each year.

Section 5. **DUTIES OF EXECUTIVE SECRETARY.** The Executive Secretary may perform each and every duty of the Secretary herein outlined when the same is duly and regularly delegated to him or her by the President of this Association, with the consent of the Secretary, and shall serve as Secretary of this Association, in the absence of the Secretary. In case of death or resignation of the Secretary, the Executive Secretary shall become the Secretary of this Association until the next regular meeting. The Executive Secretary shall maintain the permanent records of the Association, including the minutes of the meetings of the Executive Committee and General Membership, Resolutions; reports, studies or other materials accepted by the Executive Committee; or any other document deemed necessary by the Association President.

Section 6. **DUTIES OF SERGEANT OF ARMS.** To maintain order during meetings, to ensure no unauthorized individual enters or remains on the premises of the meetings.

Upon request of the President, to introduce any guests of the membership.

Section 7. **DUTIES OF CHAPLAIN.** To provide the invocation before each regular meeting.

Section 8. **DUTIES OF LEGAL ADVISOR.** To provide the Association legal counsel on all matters deemed necessary by the Executive Committee.

Section 9. **DUTIES OF BADGE OFFICER.** To ensure that an Association Name Badge is prepared and maintained for all members. To Transport, distribute and collect the Association Name Badges at each regular meeting.

#### **ARTICLE IV – STANDING COMMITTEES**

Section 1. The following committees shall be considered Standing Committees. The duties of these committees herein described shall be considered representative and not exclusive. The designated Chairperson of each committee must be an active member of this Association. All committee appointments shall be made by the President to be effective during their term of office, and the terms of members of the various standing committees shall exist not longer than one year. Committee members may succeed themselves if reappointed by the President. In the case of a vacancy in any committee, the President shall have the power to fill the vacancy. Every member of the committee, who is appointed to serve, if he is unable to serve, shall indicate the same promptly to the President, who shall then make a new appointment. All such committee appointments shall be made by the President in writing.

Section 2. **EXECUTIVE COMMITTEE.** A committee comprised of elected officers of this Association and those Chairpersons of the standing committees appointed by the President, and individual members of the Association as determined by the President. They shall meet monthly with the President and vote on issues coming before the executive meeting; to provide advice to the President and assist in the orderly administration of Association business. The Executive Committee shall speak for the organization and shall determine all issues relevant to the Association by majority vote of the members in attendance.

Section 3. **MEMBERSHIP COMMITTEE.** A committee comprised of member(s) of this Association; one member shall be designated Chairperson by the President, and shall be directly responsible for the work of this committee. This committee shall pass upon the application of all candidates for admission to membership to this Association, and shall thoroughly and fully investigate the qualifications of such candidates. No candidate shall be admitted to membership of this Association, except upon a two-thirds (2/3) approval vote of the active members in attendance at the regular meeting and who has first secured the approval of at least three members of this committee, including the Chairman or his or her designee. This committee shall likewise be charged with the duty and responsibility of submitting to this Association for its approval samples of cards and badges. There shall be numbered cards specifically designating each level of membership. All membership cards shall be issued no later than February 15<sup>th</sup> of each calendar year. All questions pertaining to membership in this body shall be first passed upon by the Membership Committee, which shall submit its recommendation in writing to the President for submission to the Executive Committee.

It shall be the duty of the Membership Committee to submit to the membership of this Association the names of all candidates for membership to the Association who have been recommended by the Membership Committee, and approved by the Executive Committee, at least one meeting prior to the meeting upon which such candidates are voted upon by the membership of this Association.

The Membership Committee of this Association is hereby empowered to drop from the Membership Roll of this Association subject to a majority vote of the members of this Association, any member who, in their opinion, has ceased to actively participate in the affairs of this Association or to show an interest therein.

In all cases, however, such member shall be entitled as of right to written notice and hearing before the Membership Committee if he or she desires, to explain his or her lack of interest or failure to participate in the affairs of this Association.

Section 4. **LEGAL AND LEGISLATIVE COMMITTEE.** A committee comprised of member(s) of this Association; one member of this committee shall be designated Chairperson by the President, and shall be directly responsible for the work of the committee. This Committee shall formally prepare for submission to this Association such resolutions as they may from time to time be directed by the President to prepare and submit to the Executive Committee which shall be their two-thirds (2/3) vote either reject or approve the resolution. Furthermore, this committee shall be responsible to inform the Association of any and all legislative matters and legal issues directly related to, or affecting the Association or law enforcement on a local or state level.

This committee shall be charged with the responsibility of securing laws for cities, towns, counties and the state for the purpose of and to aid in the rapid apprehension and speedy prosecution of perpetrators of crime and for the betterment of law enforcement and the general welfare of the community.

Section 5. **BY-LAWS COMMITTEE.** A committee comprised of member(s) of this Association; one member of this committee shall be designated Chairperson by the President, and shall be directly responsible for the work of the committee. This committee, when directed by the President, shall be charged with the duty and responsibility of preparing for submission to this Association such amendments, modifications, changes, alterations and additions to the By-Laws as may be desired by a majority vote of the membership of this Association.

These By-Laws may be amended, by affirmative vote of a majority of the active membership after the amendment has been submitted to an approved by the By-Laws committee and after a copy of the proposed amendments have been mailed, electronically sent or given to every member of the Association notifying him or her that a charge will be voted upon at the next regular meeting, and will become effective if acted upon by a majority of the active members present at said meeting. The notice shall contain the place, date and time of the meeting as well as the By-Laws to be amended and the reasons therefore.

Furthermore, these By-Laws will be reviewed by the incoming President, officers and the By-Laws Committee members, at the beginning of each new term, for any changes that may be necessary, in order to continue the efficient and proper operation of this Association, and any change shall be made no later than the July Executive Meeting, and only as expressed in Article IV, Section 5, By-Laws Committee, of this document.

Section 6. **TRAFFIC COMMITTEE.** A committee comprised of member(s) of this Association; one member of this committee shall be designated Chairperson by the President, and shall be directly responsible for the work of the committee. This committee shall be charged with the duty and responsibility of coordinating rules and regulations pertaining to traffic, shall suggest changes or alterations to the traffic code, shall devise ways and means of meeting traffic problems and otherwise, and in general, shall suggest to this Association such changes, additions and alterations of traffic law enforcement as may be desirable or necessary in order to safely regulate traffic and to preserve the lives and property of the citizens of Miami-Dade County. Said committee shall make a report to this Association as often as may be necessary and also when directed by the President, together with its recommendation for adoption by this Association of any method, manner or means of traffic enforcement that they deem necessary or desirable to meet the traffic problems in Miami-Dade County.

Section 7. **AWARDS/OFFICER OF THE MONTH COMMITTEE.** A committee comprised of member(s) of this Association; one member of this committee shall be designated Chairperson by the President, and shall be directly responsible for the work of the committee. These members will meet monthly to review and vote on all nominations for awards to be presented by the Association.

Section 8. **NOMINATING COMMITTEE.** A committee comprised of member(s) of this Association; one member of this committee shall be designated Chairperson by the President, and shall be directly responsible for the work of the committee. This committee shall accept written nominations for the office of Treasurer and shall verify that the nominee is an active member in good standing. If the nominee is an active member in good standing, they shall contact the member to determine if that person is willing to be nominated for Treasurer. If they agree, then the nominating committee shall make the appropriate nominations at the regular meeting in the month of March.

The nominating committee shall oversee the election, provide for the secret ballots and verify that the voter is an active member in good standing.

Section 9. **TRAINING COMMITTEE.** A committee comprised of member(s) of this Association; one member of this committee shall be designated Chairperson by the President, and shall be directly responsible for the work of the committee. This committee shall be charged with providing monthly updates to this Association on available local training offered to law enforcement personnel.

This committee shall coordinate and organize the annual Miami-Dade County Association of Chiefs of Police Training Day, which will showcase trends and relevant issues directly related to law enforcement.

Section 10. **TECHNOLOGY COMMITTEE.** A committee comprised of member(s) of this Association; one member of this committee shall be designated Chairperson by the President, and shall be directly responsible for the work of the committee. This committee shall make a report to this Association as often as may be necessary and also when directed by the President, together with its recommendation for consideration by this Association of any technological advances that will benefit law enforcement to accomplish its mission, for the general safety and welfare of the community.

Section 11. **RECEPTION/BADGE COMMITTEE.** A committee comprised of member(s) of this Association; one member of this committee shall be designated the Chairperson by the President, and shall be directly responsible for the work of the committee. This committee shall be charged with maintaining name badges for the members and coordinating the reception table with the host agencies of the Association's monthly general membership meetings.

Section 12. **AD HOC COMMITTEES.** The President may appoint during his administration such other committees as he or she may deem appropriate to assist him or her in carrying out the duties of their office. All such committee appointments shall be made by the President in writing. The President may also dissolve any Ad Hoc Committee

## **ARTICLE V – PARLIAMENTARY RULES**

Section 1. The rules contained in Roberts Rule of Order, Revised, shall govern this Association in all cases which they are applicable, and in which they are not inconsistent with the Constitution and By-Laws of this Association.

Section 2. **ORDER OF BUSINESS.** The Order of business at the meetings of this Association shall be:

1. Calling meeting to order
2. Invocation
3. Pledge Allegiance to Flag
4. Reading of Minutes
5. Report of Treasurer
6. Introduction of Meeting Sponsor(s) and Guests
7. Committee Reports
8. Special Communications, illness, death, etc.
9. Applications for Membership
10. Officer of the Month Presentation
11. Unfinished Business
12. New Business
13. Nomination of Officers (Month of May only)
14. Expression of appreciation to hose and membership by President
15. Adjournment

Issues relating to new business which the membership will be expected to take a position through a vote will be required to be submitted to the President and Executive Committee for approval prior to being placed on the meeting agenda. As these issues are presented to the membership for floor discussion or spokesperson for contrasting point of view, it will be limited to the time deemed appropriate by the Executive Committee.

## **ARTICLE VI – ASSOCIATION MEMBERSHIP**

### **1. AGENCY MEMBERSHIP**

Agency Membership in the Association is limited to those law enforcement agencies located and/or maintaining offices in Miami-Dade County, Florida which are presently in the Organization, and to new agencies which meet the criteria, and apply for admittance to the Association as set forth in the By-Laws. A list of those agencies which are in the Association will be maintained by the Chair of the Membership Committee.

As to any agency which applies for membership, the commanding officer of said agency, being the Chief of Police (in case of municipal or county law enforcement agencies) or the Director, Agent in Charge, or equivalent of the Miami-Dade County office of the agency (in the case of federal or state agencies) may seek agency membership in the Association for their respective organizations, by petitioning the President in writing. The President will turn the matter over to the Membership Committee which will review the request and prepare a recommendation, in writing, for consideration of the Executive Committee. The Executive Committee will determine by majority vote, to forward the application to the Active Members of the Association. The Active Members of the Association, by majority vote of the members in attendance, shall then approve or deny the Agency Membership request at the next regular meeting of the Association.

### **2. ACTIVE MEMBERSHIP**

Each Member Agency shall be entitled to a minimum of two active memberships. The first "Active Member" must be the sworn law enforcement Commanding Officer of the agency, ie. Chief of Police, Director, Special Agent in Charge, etc. The second active member shall be that individual designated by the Commanding Officer.

The Commanding Officer of a member agency may, at his discretion, seek additional "Active Membership" for those persons within his agency, which he considers to be part of the sworn command or sworn senior staff of the agency. The Association expressly understands that each Member Agency has differing organizational and rank structures which change from time to time. The Association also understands that the responsibilities of specific ranks may vary between organization, and that rank alone is not the determining criteria for an individual to be a member of an agency's command or senior staff.

Commanding Officers seeking additional Active Membership for members of his agency shall petition, in writing, the President for such additional memberships. The petition shall include a description of the role of the position within the membership agency, for which membership is being requested, identifying the position as a member of that agency's sworn command or sworn senior staff. The President upon receiving such request, shall forward same to the Membership Committee, which will review the request and prepare a recommendation, in writing for consideration of the Executive Committee.

The Executive Committee will determine by majority vote, whether to forward the application to the Active Members of the Association. A majority vote of the members in attendance at the Executive Meeting shall then approve or deny the Active Membership request at the next regular meeting of the Association.

When a member of this Association ceases to be an active member as defined by the Charter and By-Laws of the Association, that person shall thereafter automatically become an Associate Member and continue as such an Associate Member to the end of the fiscal year at which time the Associate Membership shall cease. This provision is in no way intended to prevent that person from obtaining future membership in the Association pursuant to the procedures outlined in the By-Laws.

### **3. ASSOCIATE MEMBERS**

Associate members are restricted to non-law enforcement personnel who because of their sole interest in the furtherance of professional law enforcement are recommended for membership by the Executive Committee, e.g., retired former members, staff members from law enforcement associations such as Crime Watch, LEO Foundation, etc. Associate members may serve on various committees of the Association but shall not have the privilege of voting on matters presented to the active members. Associate members shall pay such dues to the Association as may be established by action of the Executive Committee.

The associate membership shall include, but will not be limited to the following:

- a. The Chief Executive Officer of the County of Miami-Dade and the municipalities located therein.
- b. Individuals from organizations that, because of their sole interest in the furtherance of professional law enforcement, are recommended for membership by majority vote of the Executive Committee.
- c. Voting Rights of Associate Members: Associate members of this Association shall have the privilege to advise with the Active members of this Association and to be heard on all matters coming before the Association at the regular meetings and to voice their opinion thereon, but said Associate members shall not have the privilege of voting on any matters presented to the Active members for their consideration and approval. Associate members shall have the privilege to wear the badge of this Association.
- d. The total number of Associate Memberships in this Association shall not exceed the total number of active members.
- e. All Associate Memberships issued by this Association shall be reviewed by the Membership Committee on an annual basis to ensure that they still comply with the requirements of the Association.

### **4. LIFE MEMBERS**

Are those individuals that are afforded permanent membership regardless of their membership qualification status. These include all past Presidents and any other person

deemed by unanimous vote of the membership to be deserving of this honor who shall have the right of all active members.

## **5. HONORARY MEMBERS**

The honorary members of this Association shall be such members as the Association shall, from time to time, choose to honor with such membership; said honorary members, shall be entitled to wear the badge of this Association, but shall not have the privilege of voicing their opinions of discussing any of the matters that come before the Association, and shall not have the right to vote on any matter or motions which come before the Association, and said honorary members shall be honorary members without the payment of dues.

## **6. GUESTS**

Guests have no rights within the Association and shall not be entitled to any award or prize for athletic or other activities the members shall be involved in.

## **7. SPONSORING MEMBERS**

Sponsoring members are those business entities, either individuals, partnerships or corporations who seek to support the Miami-Dade County Association of Chiefs of Police. A sponsoring member shall not have the privilege of voting on matters presented to the active members. The sponsoring members may, however, serve on the various committees of the Association. Dues for sponsoring members shall be established by action of the Executive Committee.

## **8. SUSPENSION OF MEMBERSHIP**

Any member of the Association who has been charged with a criminal offense or any misconduct that would bring discredit to the Association, until such time as the matter is resolved, may be suspended from the Association by a majority of the vote of the active members in attendance at the executive meeting.

## **ARTICLE VII**

For the purpose of public records requests, the Association will be considered an "agency" as defined in Florida Statutes Chapter 119. The Association shall comply with any and all, lawful public records requests, pursuant to the public records laws of the State of Florida. All fees related to public records production, will be paid in accordance with the statutory requirements, and will be paid to the Association. If there are any service fees to a third party entity, the Association will pay the required fee from the monies received from the initial request.

## **ARTICLE VIII**

This Association, with the majority vote of the members in attendance, and after consultation with the Treasurer, will limit contributions made to non-profit organizations that benefit law enforcement officers and their families, up to \$1,500.00. The Treasurer, or his or her designee, will provide this Association with a financial status and recommendation, on the possible financial impact to the Association, prior to any vote.

All other expenditures, excluding normal operational expenses, will be approved by the majority vote of the members in attendance, after the Treasurer, or his or her designee, provide this Association with a financial status report and recommendation, on the possible financial impact to the Association.

### **ARTICLE IX**

The corporation shall neither have nor exercise any power or sell or engage directly or indirectly in any activities, that would invalidate its status as a corporation which is exempt from federal income taxation as an organization described in Section 501(c)(4) of the Internal Revenue Code of 1954, or as a corporation, contributions to which are deductible under Section 170 (c) (2) of the Internal Revenue Code of 1954; nor shall the corporation engage in any activity as described in Florida Statute 617.0105 (2).

This Association is organized, consistent with the terms and conditions of its Charter, to promote the safety and social welfare of the community and law enforcement. As such, the Association may participate legally in some political activity on behalf of or in opposition to candidates for public office, as prescribed by Section 501(c)(4) of the Internal Revenue Code.

### **ARTICLE X**

All references herein to provisions of the Internal Revenue Code of 1954 shall be deemed to include both amendments thereto and statutes which succeed such provisions (i.e., the corresponding provisions of future United States Internal Revenue Laws).